

1 PETER H. CUTTITTA – SBN 3050

Email: cuttitta@portersimon.com

2 BRIAN HANLEY – SBN 9052

Email: hanley@portersimon.com

3 PORTER SIMON

Professional Corporation

4 675 Sierra Rose Dr., Suite 116

Reno, NV 89511

5 Telephone: (775) 322-6767

Facsimile: (530) 587-1316

6 CHARLES N. FREIBERG – Admitted Pro Hac Vice

Email: cfreiberg@kasowitz.com

BRIAN P. BROSNAHAN – Admitted Pro Hac Vice

8 Email: bbrosnahan@kasowitz.com

DAVID A. THOMAS – Admitted Pro Hac Vice

9 Email: dthomas@kasowitz.com

JACOB N. FOSTER – Admitted Pro Hac Vice

0 Email: jfooster@kasowitz.com

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

1 101 California Street, Suite 2300

San Francisco, CA 94111

2 Telephone: (415) 421-6140

Facsimile: (415) 398-5030

3 Attorneys for PLAINTIFFS

4 S. MYERS and M. MYERS

5 UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

7
8 SUSAN K. MYERS and MICHAEL F.
9 MYERS,

0 Plaintiffs,

1 v.

2 JAMES ARCHIBALD, et al.,

3 Defendants.

Case No: 3:10-CV-258-RCJ-RAM

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I, DAVID A. THOMAS, declare that I am a citizen of the United States and I am over 18 years of age. I am not a party to the above entitled action. My business address is 101 California Street, Suite 2300, San Francisco, California 94111.

On May 10, 2011, I caused the attached document entitled:

**STIPULATION AND [PROPOSED] ORDER PERMITTING THE
FILING OF PLAINTIFFS' SECOND AMENDED COMPLAINT**

to be sent the following:

Louis M. Ciavarra, Esq.
AiVi Nguyen, Esq.
Bowditch & Dewey, LLP
311 Main Street
P.O. Box 15156
Worcester, MA 01615-0156

Email: lciavarra@bowditch.com
Email: anguyen@bowditch.com
Tel. No.: 508-926-3408
Fax No.: 508-929-3011

Attorneys for Defendants JAMES
ARCHIBALD and PORT CAPITAL
MANAGEMENT, LLC

Stephen C. Balkenbush, Esq.
THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISINGER
6590 S. McCarran, Suite B
Reno, NV 89509

Email: sbalkenbush@thorndal.com
Telephone: (775) 786-2882
Facsimile: (775) 786-8004

Attorneys for Defendants JAMES
ARCHIBALD and PORT CAPITAL
MANAGEMENT, LLC

☒ **By Electronic Service (LR 5-3).** I caused the above-documents to be electronically filed on this date with the clerk of the Court using the CM/ECF system, which will automatically e-serve the same on the attorneys of record indicated on the generated Notice of Electronic Filing and served as follows any attorneys of record which are designated on the Clerk's Service List(*) to require alternate service as follows:

☐ **By Mail.** I placed the above-documents in sealed envelope(s), with postage thereon fully prepaid, for collection and mailing at San Francisco, California, following ordinary business practices. I am readily familiar with the practices of Kasowitz, Benson, Torres and Friedman for processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

☐ **By Federal Express.** I served such envelope or package to be delivered on the same day to an authorized courier or driver authorized by Federal Express to receive documents, in an envelope or package designated by Federal Express.

☐ **By Personal Service.** I caused the above documents to be delivered by hand to the

1 addressee(s) noted above.

2 ☐ **By Facsimile.** I caused the above documents to be served via facsimile electronic equipment
3 transmission to the number indicated after the address(es) noted above.

4 ☐ **By Email.** I caused the above documents to be served via email transmission to the e-mail
5 address(es) noted above.

6 I declare under penalty of perjury that the foregoing is true and correct.

7 Executed on May 10, 2011 at San Francisco, California.

8
9 /s/ David A. Thomas